

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

ANTHONY M. HOEPF, :  
Plaintiff(s) :  
vs. : Case Number: 1:05cv200  
PEDRO OBREGON, M.D. : District Judge Susan J. Dlott  
Defendant(s) :

## ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Timothy S. Black. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on January 24, 2007 Report and Recommendations (Doc. 51). The Plaintiff did not file any formal objections to the Report and Recommendation by the deadline date of February 7, 2007, but filed a Motion for a New Trial on February 5, 2007 (Doc. 52).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendations should be adopted.

Accordingly, it is ORDERED that Defendant's unopposed Motion for Summary Judgment (Doc. 45) is GRANTED, all other pending motions are DENIED as Moot and that this case is CLOSED.

It is further ORDERED that the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an

appeal of the Court's judgment would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601 (6<sup>th</sup> Cir. 1997).

IT IS SO ORDERED.

s/Susan J. Dlott  
Susan J. Dlott  
United States District Judge